

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

Bail Appl..No. 5577 of 2007()

CMP.2876/2007 of J.M.F.C.-I,THAMARASSERY

.....
CRIME NO.35/2007 OF THAMARASSERY EXCISE RANGE

PETITIONER/ACCUSED

RAJAN, S/O.CHEKUTTY,
VILAYARACHALIL HOUSE, RAROTH AMSOM,
CHEMBRA DESOM, KOZHIKODE DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA THROUGH THE
EXCISE INSPECTOR,
THAMARASSERY EXCISE RANGE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J
= = = = =
B.A.No.5577 of 2007
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Dated this the 18th day of September, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of arrack on 28.08.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

